

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ISMAEL GOMEZ, JR.,

Plaintiff,

vs.

Case No. 13-cv-946-JPG-SCW

UNITED STATES OF AMERICA, J.S.
WALTON, M. WINKLMEIER, M. BAGWELL,
LESLEY DUNCAN BROOKS, CASTILLO, DR.
KING and DR. HARVEY,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 93) of Magistrate Judge Stephen C. Williams recommending that the Court grant the motion for summary judgment filed by defendants Lesley Duncan Brooks, Castillo, Dr. King, J.S. Walton, and M. Winklmeier (Doc. 84).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. Except for the Report’s inadvertent reference to plaintiff Ismael Gomez Jr.’s deliberate indifference claim as Count 1 when it is really Count 2, the Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 93);
- **GRANTS** the motion for summary judgment filed by defendants Lesley Duncan Brooks, Castillo, Dr. King, J.S. Walton, and M. Winklmeier on Count 2 (deliberate indifference to serious medical needs) and Count 5 (equal protection); and
- **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: August 15, 2016

s/ J. Phil Gilbert

**J. PHIL GILBERT
DISTRICT JUDGE**